

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Annual Assessment of the Status of	)	MB Docket No. 12-203
Competition in the Market for the	)	
Delivery of Video Programming	)	

**COMMENTS OF  
WAYCROSS COMMUNITY MEDIA**

Waycross Community Media submits these comments in response to the above-captioned Notice of Inquiry (“NOI”), released July 20, 2012, seeking “data, information, and comment on the state of competition in the delivery of video programming.”

Waycross Community Media provides Public, Educational, and Government (PEG) access services to the City of Forest Park, Village of Greenhills, Springfield Township and Colerain Township, Ohio.

Our area is served by two cable providers – Time Warner Cable and Cincinnati Bell Fioptics. On Time Warner, we manage 4 channels for our communities: 2 Public, 1 Government, and 1 Educational. An additional channel is shared between several PEG access centers in the Greater Cincinnati area. Time Warner currently carries our channels on their basic tier, with no extra equipment required.

We have offered our signal to Cincinnati Bell Cable. However a statewide franchising law allows them to require payment of transmission fees to deliver our signals to their headend for distribution. Because the same state law eliminated our PEG fee as of this year, the monthly

fees they have requested are outside what our budget can afford. We have asked them for a fee waiver similar to what was allowed for under local franchising, however they have declined that option. This provision of the state law effectively allows Cincinnati Bell to ignore their PEG access obligations as allowed for under state and federal law. The only community media centers being carried by Cincinnati Bell in the greater Cincinnati area are those in Northern Kentucky, where Cincinnati Bell provides the transmission service at no charge.

Waycross provides a valuable service to our communities. Although we are located in a metropolitan area with plenty of commercial media news outlets, information from the suburbs is largely ignored – unless the information involves murder, rape, robbery or fire. What is going on at the local government level, as well as information about our schools (excepting the occasional football highlight) can rarely be found on the commercial news stations.

We provide full gavel to gavel coverage of council, trustee, and school board meetings, something that would never happen on commercial TV or elsewhere on cable. We provide the means for our residents, local non-profits, and churches to produce programming that would never be shown on commercial stations due to cost – and even if it were it is generally relegated to overnight carriage. One of the churches that uses our facility told us that they paid to have their program on a local commercial station for years and never received any response. After less than a year on community access, however, they had 25 new families join their congregation. We also help build a sense of community through coverage of sports, concerts, and academic events at our schools.

Our communities had a franchise with Time Warner that was scheduled to run until 2021. However, a bill written by the industry through the American Legislative Exchange Council (ALEC) was pushed through the Ohio legislature, resulting in the abrogation of all Ohio local

franchises. In our case, that bill eliminated the community service fee that provided a substantial portion of our funding, at the beginning of this year. As a result, we have eliminated three full time and 2 part time positions. Service cuts include elective video production/media literacy courses we offered at our high schools, as well as all after school video clubs.

Community media centers are more important than ever, even in the “youtube” age. While online video is great for short, funny videos of dancing cats, people still turn to traditional media sources, such as cable, to watch long form programming. We recognize that having an online presence to compliment our cable channels is important, and we do provide our programming online via video on demand. But online videos tend to get lost in the “clutter” of the internet. Being able to have the programming available via cable to the community makes it much more accessible to our residents. And having it available to all cable subscribers, even on systems that are asking high transmission costs to avoid their obligations, should be a goal of the FCC.

Community media centers also provide the necessary tools and training so everyone – whether they have money or not – can produce a program and get their message out. In our case, we provide very low cost training and free equipment use and free cablecast for residents. Our producers could not afford to produce and air their programs on commercial TV and many have no access to video equipment or computers to go the “youtube” route.

--continued--

The landscape has changed a lot since the 1996 Cable Act. However, the need for community media has not. Clearly, online video will be an important factor in the future of community media centers. But community media is much more than just distribution. No matter how our programming is distributed, our production of community meetings and events and the access we provide our residents is what is most important. Operating and capital funds for PEG should be mandated by the FCC from all communications users of the right-of-way – both cable companies and internet service providers. This will help maintain access to the media for all Americans, not just those that can afford it.

**Chip Bergquist**  
**Executive Director**  
**Waycross Community Media**  
**2086 Waycross Road**  
**Forest Park, OH 45240**  
**513-825-2429 [chip@waycross.org](mailto:chip@waycross.org)**